

IN THE UNITED STATES DISTRICT COURT

FOR THE

**FILED
JULY 19, 2007**

EASTERN AND WESTERN DISTRICTS OF KENTUCKY

JOINT GENERAL ORDER NO. 07-1 - E.D. Ky.

JOINT GENERAL ORDER NO. 07-1 - W.D. Ky.

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Pursuant to LR 83.14 of the Joint Local Rules of the Eastern and Western Districts of Kentucky, and pursuant to the authority granted by Rule 83, F.R.Civ.P., and upon recommendation of the Joint Local Rules Commission, the Judges of the Eastern and Western Districts hereby ORDER that the following amendments be made to the Joint Local Rules:

1. A new subsection (b) is created to LR 40.1 to read as follows:

(b) Reassignment of Cases; Motion to Reassign Related Cases. A case may be reassigned to another judge within the district upon the Court's own motion, in the interests of justice, for reasons stated in an order of reassignment. A party may file a motion to reassign a case if it is related to another case pending in the district. Cases may be considered related if they meet the requirements of F.R.Civ.P. 42(a), or if a substantial savings of judicial time and resources would result if they were handled by the same judge. The Court will determine a motion to reassign on the basis of whether reassignment is in the interests of justice.

2. Current subsection (b) to LR 40.1 is re-lettered to (c);
3. The new LR 40.1 shall read as follows:

**LR 40.1 ASSIGNMENT OF CASES AMONG JUDGES
AND CALENDARING**

(a) Assignment of Cases Among Judges. Cases are assigned among the various judges within a district in a manner established by the Court's general order. Unless otherwise ordered, cases are calendared for trial or other appropriate proceedings by the assigned judge.

(b) Reassignment of Cases; Motion to Reassign Related Cases. A case may be reassigned to another judge within the district upon the Court's own motion, in the interests of justice, for reasons stated in an order of reassignment. A party may file a motion to reassign a case if it is related to another case pending in the district. Cases may be considered related if they meet the requirements of F.R.Civ.P. 42(a), or if a substantial savings of judicial time and resources would result if they were handled by the same judge. The Court will determine a motion to reassign on the basis of whether reassignment is in the interests of justice.

(c) Judge Not Available. If it appears that any matter demands immediate attention and the judge to whom the case has been assigned is not or will not be available, the Clerk—upon request—must determine if another judge is available who will consent to hear the matter.

Copies of this Order shall be affixed to every copy of the Courts' Official Rules Book distributed by the Clerks' Office. Upon the next printing of the Rules Book, all changes in Joint Local Rules as set out in this Order shall be included in the new Rules Book. Copies of this Order shall be made available to the various publishing companies that publish the Joint Local Rules of the Eastern and Western Districts of Kentucky and to the public upon request. The changes noted in this Order shall take effect upon entry of this Order.

IT IS SO ORDERED:

s/Joseph M. Hood
Hon. Joseph M. Hood, Chief Judge
U.S. District Court
Eastern District of Kentucky

s/John G. Heyburn
Hon. John G. Heyburn, Chief Judge
U.S. District Court
Western District of Kentucky